(20)

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ
& HON'BLE SHRI D.R. DESHMUKH, J.

Misc. Appeal NO.1457 OF 2005

APPELLANT
APPLICANT

Amit Singh Thakur,
S/o Upendra Singh Thakur,
Aged about 25 years,
Occupation – Building Material
Suppliers, R/o Kho-Kho Para,
Purani Basti, Tahsil & District Raipur
(C.G.)

VERSUS

RESPONDENTS
NON-APPLICANTS

1. Aghan,
S/o Nand Kumar alias
Latkhor Nishad,
Aged about 27 years,
R/o Nishad Para,
Raipura, P.S. Purani Basti,
Tahsil & District Raipur (C.G.)
2. Bhupendra Gour,
S/o J.P.S. Gour,
Aged about 36 years,
R/o Sundar Nagar, P.S. Purani
Basti, Tahsil & District Raipur (C.G)
3. The New India Insurance Company
Limited,
Through Divisional Manager,
Divisional Office, Madina Building,
Kachheri Chowk, Jail Road, Raipur,
Tahsil & District Raipur (C.G.)

Present: Ms. Mallika Bal, learned counsel for the appellant.

ORAL ORDER
(Passed on 18th January 2006)

The following oral order of the Court was passed by

D.R. DESHMUKH, J :

In this appeal, the only point urged by the appellant is that the compensation awarded by the MACT is very much on lower side. However, on a perusal of the record, we find that the claimant neither examined the doctor nor adduced any legal and cogent evidence to show that he had suffered permanent disability. Learned MACT has awardedRs.10,000/- towards loss of pain and suffering, Rs. 10,000/- towards future loss of income and Rs.15,000/- towards loss of earning capacity. Thus, the MACT has awarded total compensation of Rs.35,000/-. In view of what has been stated above, we do not find any infirmity in the award passed by the learned MACT. The appeal is devoid of merit and it is accordingly dismissed at the stage of motion. No costs.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Sd/-
CHIEF JUSTICE